

ELECTRONICALLY FILED

February 13, 2007

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 Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:	)	BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10729-LBR
USA SECURITIES, LLC,	)	Chapter 11
Debtor.)	

Affects

- ☐ All Debtors
☐ USA Commercial Mortgage Co.
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed
☒ USA First Trust Deed Fund, LLC

Hearing

Date: March 15, 2007
 Time: 9:30 a.m.
 Place: Courtroom #1

**NOTICE OF FILING AND HEARING RE SEVENTH OMNIBUS OBJECTION OF THE
 OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST
 TRUST DEED FUND, LLC – AMOUNT OF PROOFS OF INTEREST FILED BY SHERRY
 DEAN BULLOCK; ROSALIE ALLEN MORGAN; JOANN L MCQUERRY; LOUGHLIN
 FAMILY TRUST; FRIEDA MOON FBO SHARON C. VAN ERT; LOUIE AND CHARLOTTE
 POLANCO; JOSEPH GRGURICH; ROCCO J. ROCCO; AND HEINRICH RICHARD WEBER
 AND BRIGITTE S. WEBER (AFFECTS DEBTOR USA CAPITAL FIRST TRUST DEED FUND,
LLC)**

TO: FRIEDA MOON (on account of the proofs of claim (reclassified as proofs of interest)
filed by FRIEDA MOON FBO SHARON C. VAN ERT)
HEINRICH RICHARD WEBER AND BRIGITTE S. WEBER
JOANN L MCQUERRY
JOSEPH GRGURICH
LOUIE AND CHARLOTTE POLANCO
ROBERT J LOUGHLIN & ROBERTA L LOUGHLIN, TRUSTEES (on account of
the proof of interest filed by the LOUGHLIN FAMILY TRUST)
ROCCO J. ROCCO
ROSALIE ALLEN MORGAN
SHERRY DEAN BULLOCK
USA CAPITAL FIRST TRUST DEED FUND, LLC
U.S. TRUSTEE
ALL PARTIES IN INTEREST

PLEASE TAKE NOTICE that on February 13, 2007, the "**Seventh Omnibus**
Objection of the Official Committee of Equity Security Holders of USA Capital First Trust
Deed Fund, LLC to Proofs of Interest" (the "Objection") was filed by the Official Committee
of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "FTDF
Committee"). **The Objection has been filed to reconcile various equity interests asserted in**
USA Capital First Trust Deed Fund, LLC (the "FTDF") with the books and records of the
FTDF. You should read it. You filed a proof of interest that asserts an equity interest that
is different than your equity interest as of the date the FTDF filed its chapter 11
bankruptcy petition (the "Petition Date") as shown in the books and records of FTDF.

Pursuant to the Objection, the FTDF Committee objects to the proofs of interest
referenced therein (the "Subject Interests") on the grounds that they do not assert the correct
amount of the equity security interests held in the FTDF as of the Petition Date by the parties who
filed the Subject Interest (the "Parties"). By the Objection, the FTDF Committee requests that the
Subject Interests be disallowed to the extent they assert amounts in excess of each respective
Party's equity interest in the FTDF as of the Petition Date as reflected in the Debtors' books and
records and allowed in the amount of each Party's equity interest in the FTDF as of the Petition
Date per the Debtors' books and records. By this Objection, the FTDF Committee does not seek to
prejudice the rights of any member of the FTDF ("FTDF Members") who filed a Subject Interest
to recover from the FTDF estate on account of his or her membership interest in the FTDF. A
detailed list of all of the Subject Interests and the relief sought with respect to each Subject Interest

is set forth on Exhibit "1" to the Objection. The Subject Interests to which this notice pertains and the requested treatment of such claims by the FTDF Committee are as follows:

Proof of Interest No.	Equity Interest Holder	Account ID #	Date Proof of Interest	Asserted Equity Interest Amount	Amount of Equity Interest Per Debtors' Records	Proposed Disposition
72	Sherry Dean Bullock	9053	11/10/06	\$45,457.80	\$42,070.50	Disallow proof of interest to the extent it exceeds \$42,070.50. The amount asserted in excess of \$42,070.50 is on account of an investment unrelated to the USA Capital bankruptcy cases.
73	Rosalie Allen Morgan	8238	11/13/06	\$105,342.00 plus interest	\$105,342.00	Disallow proof of interest to the extent it exceeds \$105,342.00. The amount asserted in excess of \$105,342.00 is on account of anticipated but unpaid postpetition dividends.

Proof of Interest No.	Equity Interest Holder	Account ID #	Date Proof of Interest	Asserted Equity Interest Amount	Amount of Equity Interest Per Debtors' Records	Proposed Disposition
74	Joann L McQuerry	5627	12/4/06	\$655,584.00 plus interest	\$25,000.00	Disallow proof of interest to the extent it exceeds \$25,000.00. The amount asserted in excess of \$25,000.00 are on account of investments made in deeds of trust through USA Commercial Mortgage Company.
75	Loughlin Family Trust	N/A	12/4/06	\$1,055,000.00	\$0.00	Disallow proof of interest in full because Loughlin Family Trust is not a member of the FTDF. The amount asserted by the proof of interest is on account of investments made in deeds of trust through USA Commercial Mortgage Company.

Proof of Interest No.	Equity Interest Holder	Account ID #	Date Proof of Interest	Asserted Equity Interest Amount	Amount of Equity Interest Per Debtors' Records	Proposed Disposition
FTDF Claim no. 6	Frieda Moon FBO Sharon C. Van Ert	4153	May 23, 2006	\$35,583.34	\$35,000.00	Disallow proof of interest to the extent it exceeds \$35,000.00. The filed proof of interest asserts no basis for the amount in excess of \$35,000.00.
FTDF Claim no. 7	Frieda Moon FBO Sharon C. Van Ert	1538	May 23, 2006	\$17,538.18	\$17,279.00	Disallow proof of interest to the extent it exceeds \$17,279.00. The filed proof of interest asserts no basis for the amount in excess of \$17,279.00.
FTDF Claim no. 19	Louie and Charlotte Polanco	471	June 23, 2006	\$13,110.26	\$12,214.50	Disallow proof of interest to the extent it exceeds \$12,214.00. The amount asserted in excess of \$12,214.50 is on account of anticipated but unpaid postpetition dividends.

Proof of Interest No.	Equity Interest Holder	Account ID #	Date Proof of Interest	Asserted Equity Interest Amount	Amount of Equity Interest Per Debtors' Records	Proposed Disposition
FTDF Claim no. 20	Joseph Grgurich	9690	June 23, 2006	\$25,000.00	\$25,000.00	Disallow proof of interest as duplicative of proof of interest that was formerly FTDF claim no. 2.
FTDF Claim no. 25	Rocco J. Rocco	6016	July 7, 2006	\$10,132.00	\$10,000.00	Disallow proof of interest to the extent it exceeds \$10,000.00. The filed proof of interest asserts no basis for the amount in excess of \$10,000.00.
FTDF Claim no. 26	Heinrich Richard Weber and Brigitte S. Weber	9771	July 21, 2006	\$30,275.00	\$30,000.00	Disallow proof of interest to the extent it exceeds \$30,000.00. The amount asserted in excess of \$30,000.00 is on account of anticipated but unpaid postpetition dividends.

PLEASE TAKE FURTHER NOTICE that the hearing on the Objection will be held before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on **March 15, 2007, at the hour of 9:30 a.m.**

1 **PLEASE TAKE FURTHER NOTICE** that this hearing may be continued from
2 time to time without further notice except for the announcement of any adjourned dates and time
3 at the above noticed hearing or any adjournment thereof.

4 **PLEASE TAKE FURTHER NOTICE** that any response to the Objection must
5 be filed by **March 8, 2007** pursuant to Local Rule 3007(b), which states:

6 If an objection to a claim is opposed, a written response must be
7 filed and served on the objecting party at least 5 business days
8 before the scheduled hearing. A response is deemed sufficient if it
9 states that written documentation in support of the proof of claim
10 has already been provided to the objecting party and that the
documentation will be provided at any evidentiary hearing or trial
on the matter.

11 If you object to the relief requested, you *must* file a **WRITTEN** response to this
12 pleading with the court. You *must* also serve your written response on the person who sent you
13 this notice.

14 If you do not file a written response with the court, or if you do not serve your
15 written response on the person who sent you this notice, then:

16 ! The court may *refuse to allow you to speak* at the scheduled hearing; and
17 ! The court may *rule against you* without formally calling the matter at the
18 hearing.

19
20 DATED: February 13, 2007

/s/ Andrew M. Parlen
Andrew M. Parlen, Esq.
Stutman, Treister & Glatt
Professional Corporation
Counsel to the Official Committee of Equity
Security Holders of USA Capital First Trust
Deed Fund, LLC